

REMARKS

Claims 8-22 were presented for examination and were rejected. No claims are amended herein, and thus claims 8-22 remain.

Power of Attorney

The March 29, 2004 Office Action was sent to the prior attorney for Assignee, as was the previous Office Action. A new power of attorney and change of correspondence address was filed with the Office on May 5, 2003, and was filed again with the response to the previous action. Copies of these papers are again attached, making the third time they have been submitted. ***THE OFFICE IS REQUESTED TO DIRECT ALL FUTURE CORRESPONDENCE TO THE UNDERSIGNED'S CUSTOMER NUMBER.***

Change of Docket Number

Please change the Attorney Docket number in the Office's records to reflect the present attorney's docket number, *i.e.*, 199-0095US.

Claim Rejections

The Examiner rejected claims 8-22 under § 102(e) as anticipated by U.S. Patent 6,693,661 to Vanderwilt et al. ("Vanderwilt"). As discussed below, claims 8-22 each recite at least one limitation not taught or suggested by Vanderwilt, and are therefore allowable over Vanderwilt. Because each independent claim (claims 8, 13, and 19) includes one or more limitations not taught or suggested by Vanderwilt, only the independent claims are discussed herein.

Vanderwilt is drawn to a videoconferencing system that includes an embedded web server. Purposes of the embedded web server include "to retrieve, view and transmit slide presentations, and to remotely manage the associated conferencing system." Vanderwilt at col. 2, ll. 1-3. The Vanderwilt system includes a videoconferencing unit (VCU) including a network interface for connection to various peripherals located at the near endpoint, *e.g.*, personal computers. *Id.* at col 2, ll. 4-16. Vanderwilt does not disclose a multipoint control unit integral with a videoconferencing unit, as claimed in the present application.

Claim 8

For example, currently pending claim 8 recites the following:

8. (original) A method for conducting a conference between a near conference endpoint and a plurality of remote conference endpoints connected for communication by a network, comprising the steps of:
- at the near conference endpoint:
 - generating local audio and video signals;
 - receiving audio and video signals from the plurality of remote conference endpoints;
 - creating a plurality of processing trains for processing the received signals, each processing train uniquely corresponding to one of the plurality of remote conference endpoints;*
 - processing the received audio and video signals;
 - combining the processed audio and video signals with the local audio and video signals; and*
 - transmitting the combined audio and video signals to each of the plurality of remote conference endpoints.*

As explained in the following analysis, Vanderwilt is missing at least the three highlighted limitations required by pending claim 8.

First, Vanderwilt contains no teaching or suggestion of “*creating a plurality of processing trains ... uniquely corresponding to one of the plurality of remote conference endpoints.*” The Examiner suggests this limitation may be found in Vanderwilt at col. 3, ll. 30–37 and col. 8, ll. 13–20. However, careful review of these passages clearly indicate that they do not relate to multiple processing trains for signals received from a plurality of remote endpoints. The passage at col. 3, ll. 30–37 describes:

VCU 102 simultaneously receives video and audio information (typically representative of the images and speech of the remote conference participants) from *the remote conference endpoint*. The received video and audio information is processed by VCU 102 and the processed video and audio information is directed to a video monitor 110 and speakers 112 so as to present to the near conference participants the images and speech of the remote conference participants.

(emphasis added). As an initial matter, the use of the language “the remote conference endpoint” makes clear that this particular passage relates to a situation in which VCU 102 is not receiving signals from a plurality of remote endpoints, as required by claim 8, but rather is receiving signals from a single remote endpoint. Because there is only a single remote

endpoint, there is no reason to create a plurality of processing trains each corresponding to a remote endpoint, and, as would be expected, the passage makes no mention of the required plurality of processing trains. Thus this passage does not support Examiner's argument that "a plurality of processing trains each ... uniquely corresponding to one of the plurality of remote conference endpoints" is taught or suggested by Vanderwilt.

The other passage of Vanderwilt cited by Examiner as teaching multiple processing trains corresponding to multiple endpoints also fails to teach the required limitation. At col. 8, ll. 13-20, Vanderwilt describes:

A near conference participant then selects a slide for transmission to remote conference endpoint 302 by navigating through the thumbnail images using user controls 134. Upon selection of a slide, presentation engine 208 causes conferencing application 206 to transmit the corresponding image to *remote conference endpoint 302*, step 816.

From even the most casual inspection, it is clear that this passage contains no teaching or suggestion of "creating *a plurality of processing trains* ... uniquely corresponding to one of the *plurality of remote conference endpoints*." The cited language relates to sending a slide presentation to a remote conference endpoint (singular). There is no plurality of anything disclosed or suggested, and there is most certainly no plurality of processing trains. Because Vanderwilt fails to teach or suggest "creating a plurality of processing trains ... uniquely corresponding to one of the plurality of remote conference endpoints," rejection under § 103(e) is therefore improper.

Second, Vanderwilt contains no teaching or suggestion of "*combining the processed audio and video signals [i.e., the received signals], with the local audio and video signals*." This is not surprising as there is no reason to perform this operation except in the case where a videoconferencing unit is also acting as a multipoint controller for a multipoint conference, and, as noted above, Vanderwilt is not directed to a multipoint controller. Examiner cites two passages of Vanderwilt as teaching this limitation, col. 3, ll. 15-58 and col. 8, ll. 13-20.

Column 3, ll. 15-58 of Vanderwilt are generally directed to a description of a videoconferencing endpoint that includes an integral web server. Relevant portions of this passage read as follows:

- VCU 102 acquires video and audio information (typically representative of the images and speech of the near conferencing participants) respectively generated by at least one camera 104 and microphones 106. VCU 102 process the acquired video and audio information, and transmits the processed information to at least one remote conference endpoint connected to VCU 102 via ISDN lines 108. [col. 3, ll. 21-29]
- VCU 102 simultaneously receives video and audio information (typically representative of the images and speech of the remote conference participants) from the remote conference endpoint. The received video and audio information is processed by VCU 102 and the processed video and audio information is directed to a video monitor 110 and speakers 112 so as to present to the near conference participants the images and speech of the remote conference participants. [col. 3, ll. 29-36]

Nowhere in this passage is there any teaching or suggestion of combining the received signals with the local signals. The incoming (received) data is decoded and displayed on a monitor (video data) or played back on a speaker (audio data). The local data is encoded and transmitted to a remote endpoint. Furthermore, there is no reason for the local and remote data to be combined because Vanderwilt is not directed to a videoconferencing endpoint with an integral multipoint control unit.

Column 8, ll. 13-20 is similarly lacking as regards combining remote and local audio and video data. This passage, reproduced above, describes the process of transmitting a slide presentation across a videoconferencing network. Nowhere does this passage teach or suggest combining local audio and video data with remote audio and video data. Based on the lack of teaching of this limitation rejection of claim 8 under § 102(e) is improper.

Third, Vanderwilt lacks any teaching or suggestion of *"transmitting the combined audio and video signals to each of the plurality of remote conference endpoints."* Although this statement flows somewhat obviously from the fact that the combined signals required to be transmitted are never even created in the teaching of Vanderwilt, the following addresses Examiner's contention that this limitation is taught in Vanderwilt at col. 3, ll. 26-29, which indicates that the VCU "transmits the processed information to at least one remote conference endpoint connected to VCU 102 via ISDN lines 108." The "processed information" is described in line 25 as being the "acquired audio and video

information," which is defined in lines 21-24 as being "video and audio information (typically representative of the images and speech of the near conferencing participants) respectively generated by at least one camera 104 and microphones 106. Thus from an examination of the cited passage in context, it is clear that the information transmitted is merely the local video and audio data and is not a combination of this data with the audio and video data received from a plurality of remote endpoints. Again, this makes perfect sense as there would be no reason to do so in the web server enabled videoconferencing unit described in Vanderwilt. Vanderwilt's failure to teach "transmitting the combined audio and video signals to each of the plurality of remote conference endpoints" renders rejection of claim 8 under § 102(e) improper.

Based on the absence of these three limitations, it is respectfully submitted that claim 8 and all claims depending therefrom are allowable for at least the reasons discussed above. It is also noted that there may be other limitations of the claims not taught or suggested by Vanderwilt. However, in view of the above, it is not necessary to address these differences at this time. Because claim 8 recites one or more limitations not found in the cited art of record, reconsideration and withdrawal of the rejection of claim 8 and the claims depending therefrom is respectfully requested.

Claim 13

The Examiner also rejected independent claim 13 under § 102(e) in view of Vanderwilt. Claim 13 recites the following:

13. (previously presented) A multi-point capable video conferencing endpoint comprising:
- a network interface for receiving remote audio and video data from a plurality of remote endpoints through a network;
 - an audio interface for receiving local audio data from a local source;
 - a video interface for receiving local video data from a local source; and
 - a CPU programmed to control receipt of the remote audio and video data, receipt of the local audio and video data; combination of the remote audio and video data with the local audio and video data; and transmission of the combined audio and video data to each of the plurality of remote endpoints through the network.*

Most relevant to the following analysis is the CPU limitation, which requires a CPU programmed to control four things: (1) receipt of remote audio and video data, (2) receipt of

local audio and video data, (3) *combination of the remote and local audio and video data*, and (4) *transmission of the combined audio and video data to each of the plurality of remote endpoints through the network*. As discussed above, combining remote audio and video data with local audio video data is not disclosed in Vanderwilt, and thus neither is the transmission of the combined data to a plurality of remote endpoints through the network. If these activities are not present, there is also no CPU present to control these activities. The Examiner concedes this point by providing no citation to Vanderwilt purporting to disclose "combination of the remote audio and video data with the local audio and video data." (See March 29, 2004 Office Action at 5.)

Examiner contends that a CPU programmed to control transmission of the combined data is found in Vanderwilt at Fig. 3, col. 3, ll. 15-58, and col. 4, ll. 41-55. Figure 3 illustrates a videoconferencing unit 102 in communication with a plurality of remote endpoints via a network, but contains no teaching or suggestion of transmitting a signal resulting from the combination of local audio and video data with remote audio and video data. An analysis of col. 3, ll. 15-58 was conducted above with respect to claim 8 and is applicable here. As was noted, this passage does not teach or suggest the required combination signal, and thus cannot teach or suggest transmission of the combined signal to a plurality of endpoints. At col. 4, ll. 41-55, Vanderwilt recites:

Fig. 2 is a block diagram showing various programs and files stored within memory 124. Contents of memory 124 include operation system (OS) 202, diagnostics/management module 204, conferencing application 206, presentation engine 208, web server 210, and web pages 212. OS 202 controls the allocation and usage of hardware resources as CPU 116 and memory 124. Diagnostic/management module 204 is configured to perform diagnostic tests of VCU 102, determine and adjust VCU 102 configuration parameters and conduct various other system management tasks. Conferencing application 206 performs encoding/decoding, multiplexing/demultiplexing, signaling, error checking and related operations in connection with the communication of audio and video data streams between VCU 102 and one or more remote conference endpoints.

Review of this passage indicates that although it teaches communication of data streams with one or more remote conference endpoints, there is still no teaching or suggestion that these data streams are the combination of local audio and video data with remote audio and

video data. Furthermore, this combination is not found anywhere in Vanderwilt. Therefore the CPU limitation of claim 13 is absent from Vanderwilt.

Based on the absence of the CPU limitation, it is respectfully submitted that claim 13 and all claims depending therefrom are allowable for at least the reasons discussed above. It is also noted that there may be other limitations of these claims not taught or suggested by Vanderwilt and that lack of analysis of these limitations should not be construed as an admission that these limitations are taught or suggested by Vanderwilt. Because claim 13 recites one or more limitations not found in the cited art of record, reconsideration and withdrawal of the rejection of claim 13 and the claims depending therefrom is respectfully requested.

Claim 19

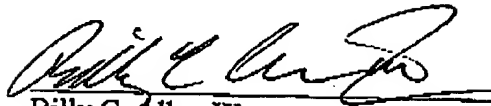
Finally, the Examiner also rejected claim 19 as anticipated under § 102(e) by Vanderwilt. Claim 19 recites the following:

19. (previously presented) A multi-point capable video conferencing endpoint comprising:
- means for receiving remote audio and video data from a plurality of remote video conferencing endpoints;
 - means for receiving audio data from a local audio source and video data from a local video source;
 - means for combining the local audio data with the remote audio data and the local video data with the remote video data; and*
 - means for transmitting the combined audio data and combined video data to the plurality of remote video conferencing endpoints.*

As with claims 8 and 13, claim 19 recites limitations that are not taught or suggested by Vanderwilt. In his rejection of this claim, Examiner proposes that "this is a means claim with similar limitations as claim 1 [sic, claim 8] and 13 above. Therefore it is rejected with the same rationale." As noted above, the rejection of claims 8 and 13 is improper because the reference fails to disclose each and every limitation of these claims. Therefore rejection of claim 19 is inappropriate for the same reasons. Reconsideration and withdrawal of the rejection of claim 19 and the claims depending therefrom is therefore respectfully requested.

* * * * *

Respectfully submitted,

 7/2/04
Billy C. Allen III
Reg. No. 46,147

CUSTOMER NO. 29855
Wong, Cabello, Lutsch,
Rutherford & Brucculeri, L.L.P..
20333 SH 249. Suite 600
Houston, TX 77070
Voice 832/446-2409
Fax 832/446-2424